Acknowledgment and Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant

Ent 486444 Bk 731 Pm 313-325
Date: 27-MAY-2008 2:18PM
Fee: None
Filed By: PL
MERLENE MOSHER DALTON, Recorder
GRAND COUNTY CORPORATION
For: STATE OF UTAH

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Know ye, This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Grand County as it pertains to the highway located in Grand County known as TEN MILE OVERLOOK (MOON RIDGE) ROAD; County Road Number: 00320; State Geographic Information Database (SGID) Road Identification Number: RD100153. Total road length is 3.01 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at http://recorded2477roads.utah.gov.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 22 day of May, 200 8.

By the Governor's Designee

CERTIFICATION

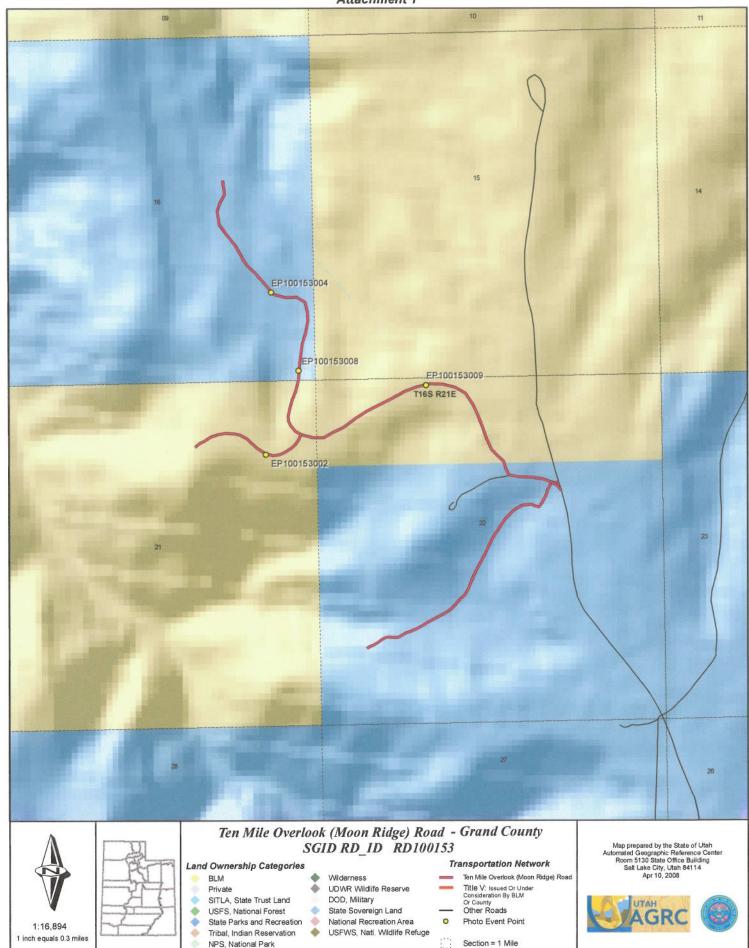
State of Utah)	
	:	SS
County of Salt Lake)	

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 22 day of May, 2008.

Panula 3. Blackham

Notary Public











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Ten Mile Overlook (Moon Ridge) Road - Grand County SGID RD_ID RD100153

Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 April 14, 2008



Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: TEN MILE OVERLOOK (MOON RIDGE) ROAD

County: Grand

County Road Number: 00320

State Geographic Information Database (SGID) Road Identification Number: RD100153.

Total Road Length: 3.01 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 23 minutes 50.01 seconds North Latitude and -109 degrees 35 minutes 45.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,178,439.3 feet and Y = 6,954,900.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 24 minutes 14.66 seconds North Latitude and -109 degrees 35 minutes 07.59 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,181,357.6 feet and Y = 6,957,456.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 16 South Range 21 East, Section(s) 16,21,22, Salt Lake Base & Meridian See Attachment 1 above for a cartographic depiction of the course of this road.

Attachment 4 Road Centerline Description Cover Page(s)

Popular Name: TEN MILE OVERLOOK (MOON RIDGE) ROAD

County: Grand

County Road Number: 00320

State Geographic Information Database (SGID) Road Identification Number: RD100153.

Total Road Length: 3.01 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD100153	001	ST	0.77 Miles	(not shown)
RD100153	002	ST	0.04 Miles	(not shown)
RD100153	003	ST	0.16 Miles	(not shown)
RD100153	004	BLM	0.76 Miles	A
RD100153	005	BLM	0.36 Miles	В
RD100153	006	BLM	0.18 Miles	C
RD100153	007	ST	0.71 Miles	(not shown)
RD100153	008	ST	0.02 Miles	(not shown)
		Total Road Length	3.01	

^{*} Indicates that a Title V permit will be requested, is in process, or has been issued.

[†] Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

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AFFIDAVIT OF BLAINE D. STEVENS

TEN MILE OVERLOOK (MOON RIDGE)

COUNTY ROAD NUMBER 00320

GRAND COUNTY, UTAH

State of Utah)
	: ss
County of Grand)

BLAINE D. STEVENS, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Grand County for 45 years.
- 2. I have traveled and am familiar with a road in Grand County known as Ten Mile Overlook (Moon Ridge) Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1940s it followed the same route as in 2006 when I last observed it. Attached is a Grand County map showing Ten Mile Overlook (Moon Ridge) Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.
- 3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1940s and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including trucks and jeeps. Throughout this time period, the road has been used weekly, weather permitting, for more than ten continuous years prior to 1976, and was used weekly, weather permitting in 2006.

- 4. Throughout the time period from the late 1940s to 2006, I have used the road myself for hunting, law enforcement, traveling in and through the area.
- 5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus livestock operations, oil and gas exploration, government access, wood gathering and fishing.
- 6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
 - 7. Prior to 1976, I observed the graded surface of the road.

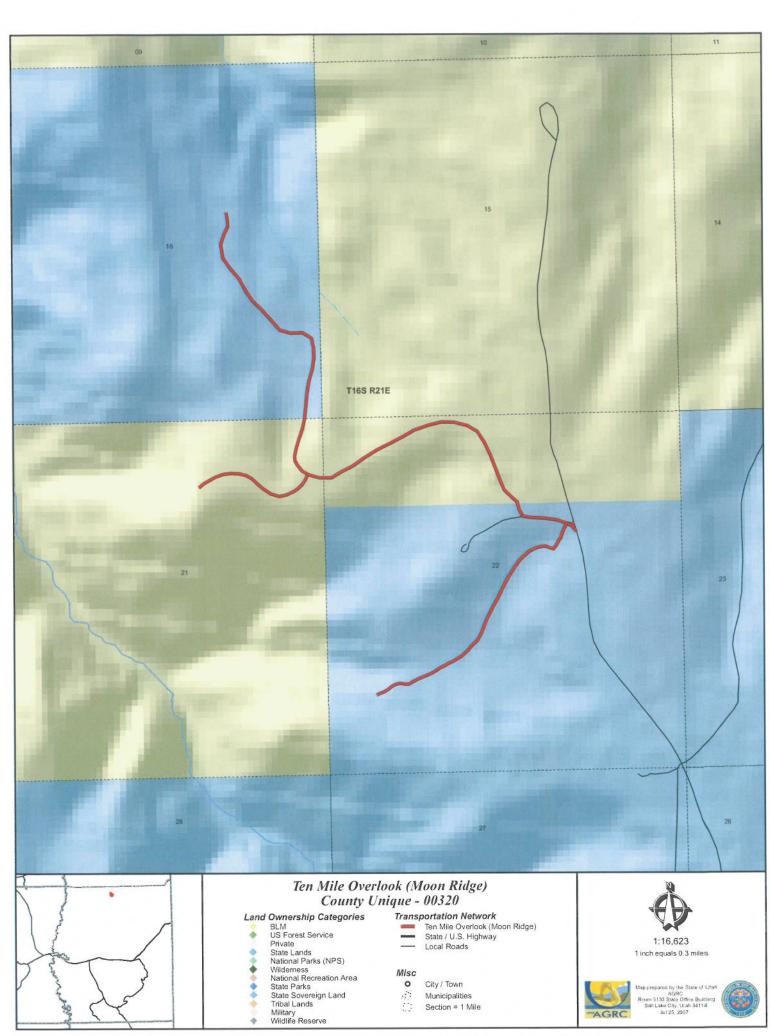
Dated this _____ day of August, 2007.

BLAINE D. STEVENS

SUBSCRIBED AND SWORN to before me this 2rd day of August, 2007.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTA DV DI IDI IC



AFFIDAVIT OF JAMES D. NYLAND, SR.

TEN MILE OVERLOOK (MOON RIDGE) ROAD

COUNTY ROAD NUMBER 00320

GRAND COUNTY, UTAH

State of Utah)
	: SS
County of Grand)

JAMES D. NYLAND, SR. being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Grand County for 50 years. I have been the Grand County Sheriff since 1978.
- 2. I have traveled and am familiar with a road in Grand County known as

 Ten Mile Overlook (Moon Ridge) Road. I am also familiar with the land the road

 traverses. When I first used and observed the road in the early 1960s, it followed the
 same route as in 2006 when I last observed it. Attached is a Grand County map showing

 Ten Mile Overlook (Moon Ridge) Road. To the best of my knowledge and based upon

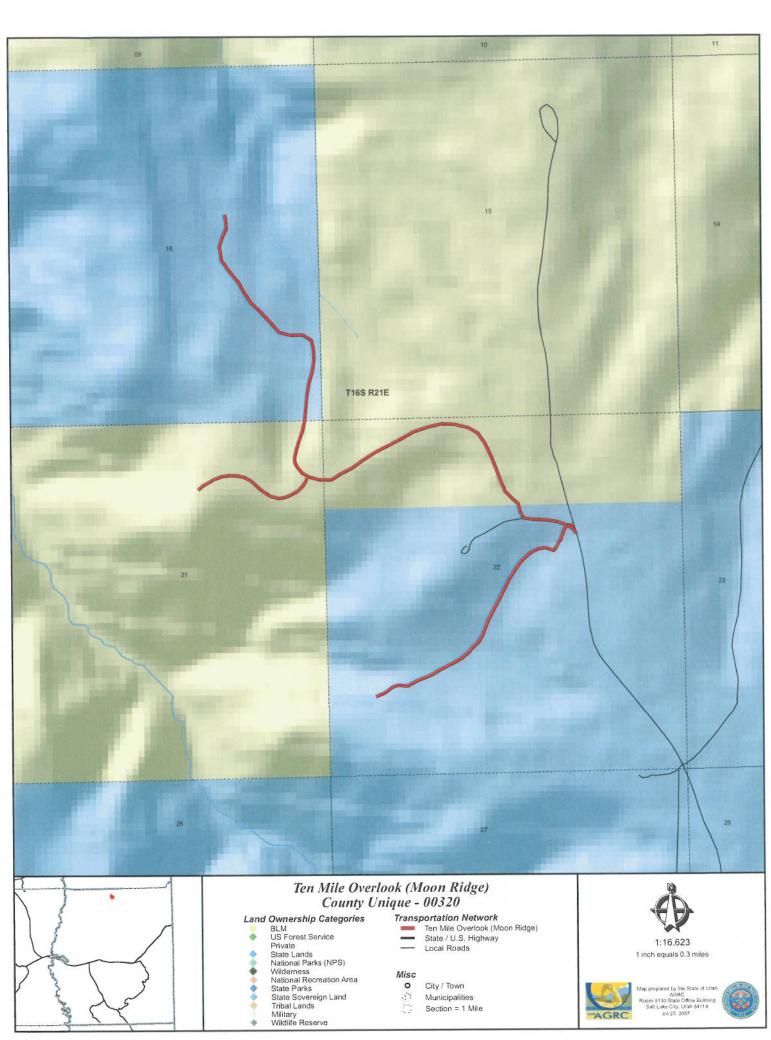
 my use of and familiarity with this road and the land it traverses, the location and route of
 the road are correctly illustrated on the attached map. The County also identifies this
 road according to the road number listed above.
- 3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including cars, ATVs, trucks and jeeps. Throughout this time period, the

road has been used daily for more than ten continuous years prior to 1976, and was used daily in 2006.

- 4. Throughout the time period from the early 1960s to 2006, I have used the road myself for hunting, law enforcement, traveling in and through the area and recreation.
- Throughout the time period described in the previous paragraph, I 5. observed vehicles using the road at various times for the uses described in the previous paragraph, plus oil and gas exploration, wood gathering, livestock operations, rock hounding and uranium prospecting.
- It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- Prior to 1976, I observed graders performing maintenance and 7. construction activities on the road.

Dated this <u>O</u> and a day of August, 2007.

SUBSCRIBED AND SWORN to before me this _____ day of August, 2007.



Appendix A to Attachment 4

Popular Name: TEN MILE OVERLOOK (MOON RIDGE) ROAD

County: Grand

County Road Number: 00320

State Geographic Information Database (SGID) Road Identification Number: RD100153.

Road-Segment Number: 004

Road-Segment Length: 0.76 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 16 South Range 21 East, Section(s) 21,22, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (TEN MILE OVERLOOK (MOON RIDGE) ROAD)-- Segment 004 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 39 degrees 24 minutes 17.64 seconds North Latitude and -109 degrees 35 minutes 18.11 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,180,525.5 feet and Y = 6,957,740.3 feet; thence the following courses along the said road center line:

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thence North 16 Degrees 37 Minutes 39 Seconds West 21.2 feet thence North 47 Degrees 32 Minutes 33 Seconds West 108.7 feet thence North 45 Degrees 13 Minutes 00 Seconds West 155.2 feet thence North 23 Degrees 49 Minutes 56 Seconds West 168.2 feet thence North 20 Degrees 07 Minutes 37 Seconds West 188.3 feet thence North 20 Degrees 52 Minutes 55 Seconds West 201.5 feet thence North 25 Degrees 53 Minutes 34 Seconds West 200.1 feet thence North 33 Degrees 37 Minutes 50 Seconds West 192.4 feet thence North 60 Degrees 06 Minutes 16 Seconds West 169.5 feet thence North 75 Degrees 36 Minutes 03 Seconds West 206.5 feet thence North 88 Degrees 50 Minutes 42 Seconds West 190.2 feet
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thence South 75 Degrees 44 Minutes 36 Seconds West 211.3 feet
thence South 70 Degrees 37 Minutes 40 Seconds West 201.1 feet
thence South 60 Degrees 22 Minutes 22 Seconds West 194.5 feet
thence South 61 Degrees 47 Minutes 03 Seconds West 210.5 feet
thence South 63 Degrees 45 Minutes 35 Seconds West 225.3 feet
thence South 57 Degrees 33 Minutes 25 Seconds West 219.1 feet
thence South 52 Degrees 50 Minutes 43 Seconds West 216.2 feet
thence South 63 Degrees 20 Minutes 19 Seconds West 181.2 feet
thence South 59 Degrees 06 Minutes 41 Seconds West 171 feet
thence South 89 Degrees 40 Minutes 18 Seconds West 113.5 feet
thence South 89 Degrees 40 Minutes 18 Seconds West 63.2 feet
thence North 74 Degrees 38 Minutes 28 Seconds West 163.8 feet
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thence North 59 Degrees 21 Minutes 52 Seconds West 19.1 feet more or less to the ending point at: 39 degrees 24 minutes 22.47 seconds North Latitude and -109 degrees 35 minutes 57.49 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2.177,425.3 feet and Y = 6,958,162.8 feet.

Appendix B to Attachment 4

Popular Name: TEN MILE OVERLOOK (MOON RIDGE) ROAD

County: Grand

County Road Number: 00320

State Geographic Information Database (SGID) Road Identification Number: RD100153.

Road-Segment Number: 005

Road-Segment Length: 0.36 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 16 South Range 21 East, Section(s) 21, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (TEN MILE OVERLOOK (MOON RIDGE) ROAD) -- Segment 005 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 39 degrees 24 minutes 22.47 seconds North Latitude and -109 degrees 35 minutes 57.49 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,177,425.3 feet and Y = 6,958,162.8 feet; thence the following courses along the said road center line:

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thence South 21 Degrees 50 Minutes 14 Seconds West 81.5 feet
thence South 32 Degrees 19 Minutes 29 Seconds West 93.5 feet
thence South 47 Degrees 46 Minutes 38 Seconds West 93.4 feet
thence South 57 Degrees 38 Minutes 10 Seconds West 99 feet
thence South 66 Degrees 24 Minutes 30 Seconds West 95.5 feet
thence South 78 Degrees 56 Minutes 50 Seconds West 105.8 feet
thence North 74 Degrees 38 Minutes 17 Seconds West 127.4 feet
thence North 56 Degrees 52 Minutes 46 Seconds West 133.9 feet
thence North 49 Degrees 01 Minutes 43 Seconds West 116.8 feet
thence North 46 Degrees 32 Minutes 49 Seconds West 109.1 feet
thence North 62 Degrees 44 Minutes 24 Seconds West 102.7 feet
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thence North 74 Degrees 38 Minutes 51 Seconds West 109.3 feet thence North 88 Degrees 46 Minutes 58 Seconds West 121.7 feet thence South 82 Degrees 15 Minutes 57 Seconds West 114.6 feet thence South 69 Degrees 06 Minutes 09 Seconds West 116.7 feet thence South 59 Degrees 35 Minutes 50 Seconds West 104.8 feet thence South 61 Degrees 20 Minutes 54 Seconds West 89.9 feet

thence South 49 Degrees 43 Minutes 47 Seconds West 97.1 feet more or less to the ending point at: 39 degrees 24 minutes 20.75 seconds North Latitude and -109 degrees 36 minutes 18.07 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,175,814.1 feet and Y = 6,957,955.1 feet.

Appendix C to Attachment 4

Popular Name: TEN MILE OVERLOOK (MOON RIDGE) ROAD

County: Grand

County Road Number: 00320

State Geographic Information Database (SGID) Road Identification Number: RD100153.

Road-Segment Number: 006

Road-Segment Length: 0.18 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 16 South Range 21 East, Section(s) 21, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (TEN MILE OVERLOOK (MOON RIDGE) ROAD)-- Segment 006 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 39 degrees 24 minutes 22.47 seconds North Latitude and -109 degrees 35 minutes 57.49 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,177,425.3 feet and Y = 6,958,162.8 feet; thence the following courses along the said road center line:

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thence North 61 Degrees 02 Minutes 48 Seconds West 100.6 feet thence North 37 Degrees 37 Minutes 00 Seconds West 111.4 feet thence North 26 Degrees 53 Minutes 35 Seconds West 73.4 feet thence North 05 Degrees 35 Minutes 26 Seconds West 62.6 feet thence North 11 Degrees 28 Minutes 07 Seconds East 117.3 feet thence North 16 Degrees 16 Minutes 56 Seconds East 142.1 feet thence North 19 Degrees 13 Minutes 51 Seconds East 155 feet thence North 13 Degrees 16 Minutes 57 Seconds East 158.7 feet
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thence North 04 Degrees 48 Minutes 52 Seconds East 3.3 feet more or less to **the ending point** at: 39 degrees 24 minutes 30.58 seconds North Latitude and -109 degrees 35 minutes 57.83 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet

coordinates of X = 2,177,380.9 feet and Y = 6,958,982.9 feet.